

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:

Katsutomo Terashima *et al.*

Serial Number: 09/434,024

Art Group Unit: 2881

Filed: November 4, 1999

Examiner: C. Jackson

For: EXCIMER LASER DEVICE AND  
GAS FOR EXCIMER LASER

**CERTIFICATION UNDER 37 CFR §1.97(e)**

Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

October 3, 2001

Dear Sir:

The undersigned hereby states:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in an counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,  
VARNDELL LEGAL GROUP

A handwritten signature in black ink, appearing to read "R. Eugene Varndell, Jr.", is written over a horizontal line.

R. Eugene Varndell, Jr.  
Attorney for Applicants  
Registration No. 29,728

Attorney Docket No. VX992028  
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R. Thelen

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For: EXCIMER LASER DEVICE AND  
GAS FOR EXCIMER LASER

**INFORMATION DISCLOSURE STATEMENT UNDER**  
**37 CFR §§ 1.97 AND 1.98**

Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

October 3, 2001

Dear Sir:

In accordance with the duty of disclosure under 37 CFR § 1.56 applicant hereby notifies the United States Patent and Trademark Office of the documents which are listed on the attached PTO-1449 form and which the Examiner may deem relevant to the patentability of the claims in the above-identified application. One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of an Office Action on the merits, but before a Final Office Action or Notice of Allowance (whichever is earlier), and therefore applicant is filing concurrently herewith a Certification under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.


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It is respectfully requested that the Examiner initial or otherwise mark one copy of forms PTO-1449 and forward the same to the applicants indicating that the documents listed thereon have been considered.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The Commissioner is hereby authorized to charge the fee therefor, as well as any deficiency in the payment of the required fee(s) or credit any overpayment, to our Deposit Account No. 22-0256.

Respectfully submitted,  
VARNDELL & VARNDELL, PLLC  
(formerly VARNDELL LEGAL GROUP)

  
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